IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.T.SANKARAN

THURSDAY, THE 13TH DECEMBER 2007 / 22ND AGRAHAYANA 1929

SA.No. 432 of 1996(B)

(AS.168/1990 of D.C. & SESSIONS COURT,KOZHIKODE
OS.218/1986 of ADDL.MUNSIFF COURT, KOZHIKODE-II)

APPELLANTS/APPELLANTS/PLAINTIFFS:

1. K.P. FRANCIS, S/O. POULOSE VAIDYAN,
   AGED 50 YEARS, RESIDING AT KAKKASSERY HOUSE,
   KASABA AMSOM DESOM OF KOZHIKODE TALUK.

2. K.P. THOMAS, S/O. FRANCIS, AGED 47 YEARS,
   OF -DO- -DO-

   BY ADV. SRI.AVM.SALAHUDEEN

RESPONDENTS/RESPONDENTS/DEFENDANTS:

1. KUNNATH MOHAMMED, S/O. KUNHI MARAKKAR,
   AGED 54 YEARS, PANNIYANKAVU AMSOM DESOM OF
   KOZHIKODE TALUK.

2. CORPORATION OF CALICUT, REPRESENTED BY ITS
   COMMISSIONER, KOZHIIKODE CORPORATION OFFICE,
   KOZHIKODE.

   R2 BY ADV. SRI.K.P.G.MENON

THIS SECOND APPEAL HAVING BEEN FINALLY HEARD ON 13/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.T. SANKARAN, J.

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S.A. No. 432 OF 1996

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Dated this the 13th December, 2007

J U D G M E N T

Learned counsel for the appellants submits that a letter dated 01.12.2007 is received from appellant No.2 stating that the dispute between the parties has been settled out of court and that it is not necessary to prosecute the Second Appeal further.

Accordingly, the Second Appeal is dismissed as settled out of court.

K.T. SANKARAN,
JUDGE.

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K.T. SANKARAN, J.

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S.A. No. 432 of 1996

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Dated this the 13th December, 2007

J U D G M E N T